

Presentation

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| Agenda Item # | 1 |
| Meeting Date | October 24, 2005 |
| Prepared By | Barbara B. Matthews |
| Approved By | |

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| Discussion Item | Briefing on the joint development project plans at the Takoma Metrorail Station (EYA and WMATA) |
| Background | <p>The Washington Metropolitan Transit Administration (“WMATA”) and Takoma Metro Associates Limited Partnership signed a Joint Development Sales Agreement for the sale and development of open space located at the Takoma Metro on June 20, 2005. On July 18, 2005, the City Council adopted Resolution 2005-59, expressing opposition to the proposed development.</p> <p>A community forum was held on September 15, 2005. Representatives of EYA and WMATA provided an overview of the proposed development.</p> <p>On October 24, 2005, EYA and WMATA representatives will brief the City Council on the current status of the proposed development. In anticipation of this briefing, Mayor Kathy Porter and Councilmember Joy Austin-Lane have asked EYA and WMATA officials to provide information on a variety of issues relative to the proposed development and the development review process. Copies of their correspondence are included as part of the background for this agenda item.</p> |
| Policy | As set forth in the <i>Takoma Park Master Plan</i> , the City places a high priority on transit service and traffic circulation. |
| Fiscal Impact | None |
| Attachments | <p>Copy of Resolution 2005-29 expressing opposition to the proposed Takoma Metro site development</p> <p>Letter dated October 18, 2005 from Mayor Porter and Councilmember Austin-Lane to Gary Malasky, Property Development and Management, WMATA</p> <p>Letter dated October 18, 2005 from Mayor Porter and Councilmember Austin-Lane to Robert Youngentob, Eakin/Youngentob Associates, Inc.</p> |
| Recommendation | Staff recommends that the City Council listen to the briefing of EYA and WMATA and ask questions of the parties. |
| Special Consideration | |

City of Takoma Park, Maryland



Office of the Mayor

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7500 Maple Avenue
Takoma Park, MD 20912

The Honorable Kathryn H. Porter, Mayor

October 18, 2005

Gary Malasky
Managing Director
Property Development & Management
WMATA
600 Fifth Street, N.W.
Washington, D.C., 20001

Dear Mr. Malasky:

The Council joins me in taking this opportunity to thank you for your participation in the EYA community forum on September 15, 2005 where the developers presented a proposal for townhouse development on the Takoma Metro site. As you heard at that meeting, many community members are deeply concerned about the potential adverse impact of the proposed development both on mass transit efficiency at our Metro station, as well as the loss of open space and increased congestion. On Monday, October 24, the Council will hear a brief presentation from EYA, discuss the proposed development, and allow community comment on the current plan. We look forward to your participation in this meeting as well.

In reviewing the information provided by WMATA on this project, we have developed a series of questions which we would like to have answered at your earliest convenience. The first questions have to do with the Compact Hearing, and the second with issues raised by the Joint Development Sales Agreement with EYA.

With regard to the Compact Hearing:

- How is the Compact Hearing conducted? Do the WMATA Board Members conduct a hearing where they listen to testimony? If so, how many members need to be present for a quorum?
- What are the written regulations which govern Compact Hearings? Please provide us with a copy of these regulations.
- What is the schedule for these hearings? How long does the record stay open?
- How many Compact Hearings are to be scheduled on the Takoma Metro site development issue? Where will they be held?

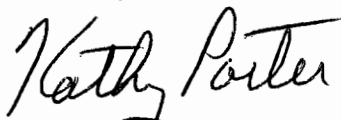
- Are transportation/transit issues the only ones addressed at the hearing, or does the Board accept testimony regarding other issues such as land use, density and circulation?
- May the Board keep the record open until after the BZA and HPRB hearings have been conducted?
- What role does the WMATA staff play in these hearings and what role does the potential developer play?
- When does the Board make its decision on the issues raised and how are these decisions communicated?

With regard to the Joint Development Sales Agreement:


- Section 3.01 (2): if the developer installs metered parking spaces along the Main Road, who enforces these meters?
- Section 3.02: Vertical and Horizontal Support required for the protection of the WMATA replacement facilities. Who will remove the current earthen berm supporting the WMATA and CSX tracks, and who will construct the replacement concrete wall? How will the tracks be stabilized during this transition? Please provide an estimate of the length of this proposed wall and its estimated cost.
- Section 4.02 B: Environmental Test Results. Please provide the City of Takoma Park a copy of the January 21, 2003 Phase II Environmental Site Assessment prepared for the developer by ECS, Ltd.
- Section 4.02 D: Concept Plan. Has the developer identified any components of its site plan as "final"? If so, what are they?
- Section 9.03: Closing Costs. Is the developer exempt from property transfer tax to be paid to the District?
- Section 13.01: Insurance Coverage. (A) considering the magnitude of the proposed construction of the principal support wall during a period of public use, why does WMATA consider a \$5 million insurance limit sufficient for general liability?
- Section 13.01: Insurance Coverage.(B). Given the consideration above, why is "Builder's Risk" Insurance intentionally deleted?

Thank you for your attention to these issues. We look forward to seeing you on October 24.

Sincerely,



Kathy Porter
Mayor



Joy Austin-Lane
Councilmember, Ward 1

City of Takoma Park, Maryland



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7500 Maple Avenue
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The Honorable Kathryn H. Porter, Mayor

October 18, 2005

Robert Youngentob
Eakin/Youngentob Associates, Inc.
1000 Wilson Boulevard
Suite 2720
Arlington, VA 22209

Dear Mr. Youngentob,

We look forward to your presentation to the Council on October 24th, at 7:30 pm in the Takoma Park Council Chambers. As you know, the community is very intent on obtaining information on the proposed development project at the Takoma Metro site.

In order to make this meeting both efficient and productive, we have prepared a list of questions that we would like you to address in your brief presentation to the Council. Most of the Council members were present at the community forum you held. So you do not need to repeat the briefing you gave at that meeting. Also, it would be most helpful if you could provide copies of your proposed site plan with dimensions clearly marked for distribution to those in attendance on October 24. In the course of your presentation, would you please answer the following questions:

1. In light of the projected 700 new residential units to be developed within a 3 block radius of the Metro, how do you intend to mitigate the transportation impacts of your proposed 95 units at one of our most congested intersections (Cedar and Carroll Streets)?
2. How many units are you currently projecting in your site plan? Of these units, how many are affordable?
3. Do you have information yet on the width of the proposed access road to Eastern Avenue? Is this access road proposed for two-way bus traffic as well as two-way automobile traffic? How close is this access road to the adjacent existing multifamily property line? How wide will the bus access road from Carroll be, and what is the width of the turnaround (with proposed bus layover areas)?
4. Is your firm responsible for the removal of the current earthen berm supporting the Metro and CSX tracks, and for the replacement support wall? Also, please provide an estimate of the length of this wall and its cost to construct.

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5. Do you anticipate retail usage in your live-work units? If so, what types and are you providing loading zones?
6. What is the number of public parking spaces on the Metro lot? What is the number of public parking spaces on the perimeter of your development and how will these spaces be controlled? Are there uncontrolled public parking spaces on the interior roads of your development?
7. The community has stated the importance of incorporating the kiss and ride and taxi stand within the Metro site itself. How do you propose to accomplish this?
8. Who will be responsible for constructing the proposed amenities to the green space? Who will be responsible for providing high quality maintenance of this green space and how will such maintenance be financed?
9. How many bicycle lockers and bicycle stands are you proposing and where have you located them? How many bike stands in total will there be?
10. Please illustrate on the site plan how the Metropolitan Branch Trail will be accommodated on the site.

Again, we look forward to your response and improving our understanding of EYA's plans.

Thanks again,



Kathy Porter
Mayor



Joy Austin Lane
Councilmember Ward 1